

United States District Court
for
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Randall Howard Malone

Case Number: 3:10-00031

Name of Sentencing Judicial Officer: Honorable Aleta A. Trauger, U.S. District Judge

Date of Original Sentence: July 22, 2010

Original Offense: 18 U.S.C. § 2113(a) Bank Robbery

Original Sentence: 46 months' custody followed by 3 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: May 30, 2012

Assistant U.S. Attorney: Philip H. Wehby

Defense Attorney: Dumaka Shabazz

THE COURT ORDERS:

- ☒ No Action
☐ The Issuance of a Warrant
 ☐ Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshal only)
☐ The Issuance of a Summons
☐ Other

Considered this 18th day of June, 2013,
and made a part of the records in the above case.

Aleta A. Trauger
Aleta A. Trauger
U.S. District Judge

I declare under penalty of perjury
that the foregoing is true and correct.
Respectfully submitted,

Kara Sanders
Kara Sanders
U.S. Probation Officer

Place Nashville, Tennessee

Date June 18, 2013

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
----------------------	--------------------------------

- | | |
|----|---|
| 1. | <u>The defendant shall participate in a program of drug testing and substance abuse treatment which may include a 30-day inpatient treatment program followed by up to 90 days in a residential re-entry Center. The Defendant shall pay all or part of the cost for substance abuse treatment if the Probation Officer determines the Defendant has the financial ability to do so or has appropriate insurance coverage to pay for such treatment.</u> |
|----|---|

Mr. Malone failed to report for a random drug test on Friday, June 7, 2013. He reported for a drug test on Monday, June 10, 2013, and his urine was positive for cocaine. Mr. Malone admitted to using cocaine on June 6, 2013. On June 11, 2013, Mr. Malone initiated his own assessment with Elam Residential substance abuse treatment and was accepted into the 28 day inpatient program. His intake date is July 3, 2013.

Mr. Malone tested negative for illegal drugs from April 17, 2013, to May 29, 2013.

Compliance with Supervision Conditions and Prior Interventions:

Mr. Malone began his current term of supervised release on May 30, 2012. He was previously on supervised release from April 2005 until June 2007, for a Bank Robbery in May 2000. That period of supervised release was revoked in June 2007, for drug use and failure to comply with release conditions.

As a condition of his current term of supervised release he was to reside in a halfway house for the first six months. Mr. Malone resided at Diersen Charities from May 2012 to September 2012. An agreed order was submitted in September 2012, to allow him to move into his own apartment. Mr. Malone has resided alone since September 2012.

In April 2013, a report was submitted to the Court regarding a positive drug test for cocaine and his admitted use. The Court agreed with no action and allowed Mr. Malone to continue on supervision.

Mr. Malone was diagnosed with Bipolar Disorder, Polysubstance Dependence and Antisocial Personality Disorder. He attended therapy weekly with Centerstone Mental Health until January 2013, when his treatment was reduced to twice per month, due to his compliance and stability. In April 2013, he began attending Centerstone weekly to address his drug use. He has also remained connected to Park Center Mental Health for additional services. Mr. Malone reports he is compliant with his psychotropic medication and takes it as directed. His social security disability was reinstated in September 2012, and he has TennCare insurance, which covers the cost of his mental health treatment.

Mr. Malone has made effort to pay his restitution, and has paid a total of \$200. His last restitution payment was June 2013. He has been instructed to make restitution payments monthly. His current balance is \$1,000.

U.S. Probation Officer Recommendation:

Mr. Malone has relapsed into drug use, but has a plan to return to compliance. It is respectfully recommended that no action be taken at this time and he be allowed to continue to take advantage of substance abuse and mental health treatment and continue on supervision. However, these violations may be considered in the future, if necessary. Any future violations will be promptly reported to the Court.

The U.S. Attorney's Office concurs with the probation officer's recommendation.

Approved:



Britton Shelton
Supervisory U.S. Probation Officer